

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

In re CAMPOS,  
Petitioner.

Case No. [22-cv-04089-HSG](#)

**ORDER OF DISMISSAL**

On or about July 13, 2022, Petitioner filed a letter with this Court requesting a stay and abeyance for “‘time tolling’ following direct appeal,” Dkt. No. 1, which the Court construed as an attempt to file a petition for a writ of habeas corpus. Dkt. No. 1. That same day, the Clerk of the Court informed Petitioner that this action was deficient because (1) he had not submitted a petition on the proper form; and (2) he had not submitted an *in forma pauperis* application or paid the filing fee. Dkt. Nos. 2, 3. The Court informed Petitioner that he needed to correct the deficiencies within twenty-eight days from the date of the notices to avoid dismissal of this action. Dkt. Nos. 2, 3. The deadline has passed, and Petitioner has not submitted the required documents.

The Court therefore DISMISSES this action without prejudice. Because this dismissal is without prejudice, Petitioner may move to reopen the action. Any such motion must contain both (1) a petition on the proper form and (2) either the full filing fee or a complete *in forma pauperis* application.

//

//


//

//

1 The Court concludes that no “jurists of reason would find it debatable whether the petition  
2 states a valid claim of the denial of a constitutional right [or] that jurists of reason would find it  
3 debatable whether the district court was correct in its procedural ruling.” *Slack v. McDaniel*, 529  
4 U.S. 473, 484 (2000). Accordingly, a certificate of appealability is DENIED.

5 **IT IS SO ORDERED.**

6 Dated: 9/12/2022

7   
8 HAYWOOD S. GILLIAM, JR.  
9 United States District Judge  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28